

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

**NISSAN MOTOR ACCEPTANCE
CORPORATION,**

Plaintiff,

v.

**PRESTIGE IMPORTS OF
THOMASVILLE, INC., et al.,**

Defendants.

**Civil Action No.
7:10-cv-129 (HL)**

ORDER

Defendants Prestige Imports of Thomasville, Inc. and Prestige Motorcar Gallery, Inc. ("the Prestige Defendants") have filed suggestions of bankruptcy (Doc. 13). The filing of a bankruptcy petition automatically stays all judicial proceedings against the debtor. 11 U.S.C. § 362(a)(1). The case is not automatically stayed against Michael Hornsby, a non-debtor defendant. Although unusual circumstances may justify imposing a stay against non-debtor defendants, such circumstances are not present here. Accordingly, this case is stayed against the Prestige Defendants, but not against Michael Hornsby.

The parties are directed to file with the Court no later than January 31, 2011 a brief no longer than three pages explaining their position on whether the consent order (Doc. 8) should remain in effect. The brief can be a joint filing if the parties share the same position. If the parties do not share the same position, each party must separately file a brief not exceeding three pages . The Court's Rules 16/26 Order will

be issued promptly. The emergency motion to appoint a receiver (Doc. 11) is now moot.

SO ORDERED, this the 25th day of January, 2011.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

lmc